



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

March 2, 2012

Mr. Mauricio Arroyo
Arroyo for City Council 2011

REDACTED

Ms. Silvia Ramirez
Arroyo for City Council 2011

REDACTED

**Warning Letter Re: FPPC No. 12/025; Arroyo for City Council 2011; Mauricio Arroyo;
Silvia Ramirez, Respondent(s)**

Dear Mr. Arroyo and Ms. Ramirez:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a referral from the Hawaiian Gardens City Clerk that alleged you have failed to file campaign statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the last campaign statement you filed with the City of Hawaiian Gardens was a pre-election statement for the period August 11, 2011 through September 29, 2011. You have failed to file any campaign statements since that time.

The Act requires that candidates and their committees file campaign statements at periodic intervals. Specifically, the Act provides that candidates and their committees shall file semiannual statements on July 31 and January 31 of each year reporting activity for the prior six month period (Gov. Code § 84200) and file pre-election statements just prior to a respective

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

election (Gov. Code § 84200.5.) Additionally, you would continue to file campaign statements until you terminate your committee.

Your actions violated the Act because you failed to file a pre-election statement for the correct reporting period of January 1, through September 24, 2011 and a pre-election statement for the correct reporting period of September 25, 2011 through October 22, 2011 or your semiannual campaign statement for the period October 23, 2011 through December 31, 2011. Since you were a defeated candidate and it does not appear that you had significant activity during the period covered by your statement, we are closing our file on this matter.

You must immediately file your delinquent campaign statements with the Hawaiian Gardens City Clerk, which must be verified by your committee treasurer, Silvia Ramirez, and by candidate Mauricio Arroyo. You may want to consider terminating your campaign committee at this time as well.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

 **REDACTED** 

Gary S. Winuk, Chief
Enforcement Division

GSW/jt

cc: Hawaiian Gardens City Clerk